

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

TAM TRAN,

Plaintiff,

v.

WASHINGTON STATE PATROL,

Defendant.

CASE NO. 3:23-cv-05148-BHS

ORDER

THIS MATTER is before the Court on Magistrate Judge Teresa L. Fricke's Report and Recommendation (R&R), Dkt. 6, recommending that the Court deny pro se Plaintiff Tam Tran's application to proceed *in forma pauperis* and dismiss the case without prejudice for failure to prosecute.

This case is one of more than 20 substantially similar cases Tran has filed in this District this year. It, like the others, contains no factual allegations and no legal theory of liability. Instead, Tran's statement of claim in this case asserts in its entirety:

11/11/12 2 Washington State Patrol arrested me. No translator violate federal civil rights title IV. They need explain me before signature.

1 Dkt. 1-1 at 5. Tran seeks \$1 billion in damages and for the Washington State Patrol Chief  
2 to resign. *Id.*

3 The R&R explains that Tran was ordered to show cause why the matter should not  
4 be dismissed, or to file an amended complaint, by March 27, 2023. Dkt. 5. The Order to  
5 Show Cause catalogues the deficiencies in this case, which are also present in Tran's  
6 other cases. Dkt. 5. The R&R recommends dismissal without prejudice.

7 Tran has not objected to the R&R and it is ADOPTED.

8 Tran's application to proceed *in forma pauperis* is DENIED, and he shall not have  
9 that status in the event of an appeal. The matter is DISMISSED without prejudice.

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11 Tran's practice of filing repetitive, facially frivolous complaints, seeking to  
12 proceed *in forma pauperis*, and refusing to amend his complaint, is abusive and  
13 vexatious. The Court has previously warned Tran that if he continues to do so, he will be  
14 subject to a bar order, precluding him from filing additional cases in this District without  
15 prior court approval. 28 U.S.C. § 1915(g); *see also, e.g., McGlown v. United States Dep't*  
16 *of Com.*, No. 23-cv-0049 TL, 2023 WL 1778934, at \*3 (W.D. Wash. Feb. 6, 2023). It has  
17 now entered a notice of intent to enter such an order, and ordered Tran to show cause  
18 why it should not be entered. *See* Dkt. 7.

19 The Clerk shall enter a JUDGMENT and close the case.

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1 IT IS SO ORDERED.

2 Dated this 5th day of May, 2023.

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5 BENJAMIN H. SETTLE  
6 United States District Judge  
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